

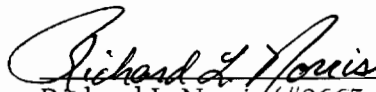
STATE OF INDIANA)
) SS: IN THE HAMILTON COUNTY SUPERIOR
COUNTY OF HAMILTON) COURT
 CAUSE NO. 29D01-0611-CT-1188

JUDITH and CLAUDE ROSS,)
))
) Plaintiffs,)
))
) vs.)
))
ALLEGIANT AIR,)
))
) Defendant.)

NOTICE OF FILING REMOVAL

The defendant, Allegiant Air, hereby notifies the Court that defendant has filed the attached *Notice of Removal* with the United States District Court for the Southern District of Indiana, Indianapolis Division. Pursuant to 28 U.S.C. Section 1446(d), this Notice “shall effect removal and the State Court shall proceed no further unless and until the case is remanded.”

NORRIS CHOPLIN & SCHROEDER, LLP

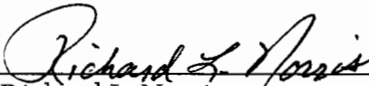

Richard L. Norris (#9665-49)
Attorneys for Defendant, Allegiant Air

NORRIS CHOPLIN & SCHROEDER, LLP
101 West Ohio Street, 9th Floor
Indianapolis, IN 46204-4213
317/269-9330
Fax: 317/269-9338

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was mailed on December 29, 2006, to:

Mr. Ronald W. Frazier
FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202


Richard L. Norris

SUMMONS

IN THE ~~MARION~~ CIRCUIT AND SUPERIOR COURTS

JUDITH ROSS,

Plaintiff,

vs.

ALLEGIANT AIR and RENO/TAHOE
INTERNATIONAL AIRPORT and
G2 SUPPORT STAFF, LLC

Defendants.

Cause No.:

29D01 0611 CT 1188

TO DEFENDANT: Allegiant Air
Attn: Highest Ranking Officer
3301 N. Buffalo Drive, Suite B9
Las Vegas, NV 89129

You are hereby notified that you have been sued by the person named as plaintiff and in the Court indicated above.

The nature of the suit against you is stated in the complaint, which is attached to this Summons. It also states the relief sought or the demand made against you by the plaintiff.

An answer or other appropriate response in writing to the complaint must be filed by you or your attorney within twenty (20) days, commencing the day after you receive this summons, (or twenty-three (23) days if this summons was received by mail), or a judgment may be rendered against you for the relief demanded by plaintiff.

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, you must assert in your written answer.

If you need an attorney, you may contact the Indianapolis Bar Association Lawyer Referral Service (269-2222), or the Marion County Bar Association Lawyer Referral Service (634-3950).

Dated: NOV 29 2006

James Baity
Clerk, Marion County
CLERK OF COURTS

(The following manner of Service of Summons is hereby designated.)

☒ Registered or Certified Mail

☐ Service on Individual

☐ Service at place of employment, to-wit: _____

☐ Private Service

Ronald W. Frazier
Ronald W. Frazier, #13975-48
Attorney for Plaintiff

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, Indiana 46202
Address

(317) 916-9999
Telephone

FILED
2006 NOV 20 AM 9:23
Clerk, Marion County Courts

STATE OF INDIANA) IN THE HAMILTON COUNTY SUPERIOR COURT
) SS:
 COUNTY OF HAMILTON) CAUSE NO.: **29 D 0 1 0 6 1 1 CT 1188**

JUDITH AND CLAUDE ROSS,)
)
 Plaintiff,)
)
 vs.)
)
 ALLEGIANT AIR and RENO/TAHOE)
 INTERNATIONAL AIRPORT, and G2)
 SUPPORT STAFF, L.L.C.)
)
 Defendants.)

FILED
 2006 NOV 20 AM 9:21
 c. Jamesy Davis
 CLERK, HAMILTON COUNTY COURTS

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: Initiating X Responding ___ Intervening ___

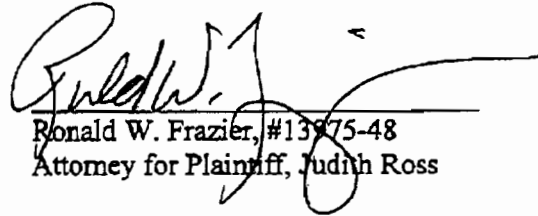
1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s): Judith Ross
2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

Name: Ronald W. Frazier	Atty. Number: 13975-48
Ian W. Thompson	25835-49
Address: FRAZIER & ASSOCIATES	Phone: (317) 916-9999
612 East Market Street	FAX: (317) 917-7730
Indianapolis, Indiana 46202	Email: ron@frazierlaw.net

3. *If first initiating party filing this case*, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3) CT.
4. There are other party members Yes ___ No X.
5. The above attorney **will not** accept service by FAX at the above noted number.
6. This case involves support issues Yes ___ No X (If yes, supply social security numbers for all family members on continuation page).
7. Are there related cases? Yes ___ No X (If yes, list on continuation page).

8. This form has been served on all other parties. Yes X No

FRAZIER & ASSOCIATES



Ronald W. Frazier, #13875-48
Attorney for Plaintiff, Judith Ross

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202
317/916-9999

6. During the normal course of business, defendants provide wheel chair services for passengers.

7. Defendants negligently placed a wheelchair against the wall of the airport terminal.

8. Defendants failed to provide a safe path for Mrs. Ross to board the plane.

9. Defendants failed to keep objects out of walking path of Mrs. Ross.

10. Defendants owed Mrs. Ross a duty of care.

11. Defendants failed to coordinate an area where unused wheelchairs would be out of the way for boarding passengers.

12. Defendants failed to provide an area where unused wheelchairs would be out of the way for boarding passengers.

13. Defendants failed to provide adequate staff to make sure that Mrs. Ross would have an unobstructed path to board the plane.

14. That as a result of defendants' negligence, Mrs. Ross tripped over a wheel chair while attempting to board the airplane.

15. That as a proximate cause of defendants' negligence, Mrs. Ross has been seriously and permanently injured and damaged in the following respects:

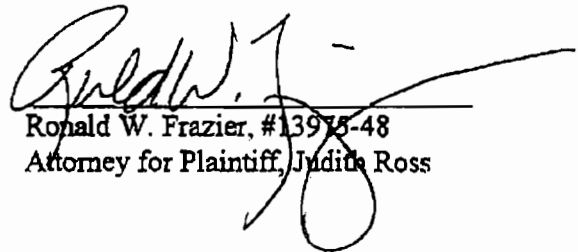
- a. she has sustained pain, suffering and mental anguish;
- b. she has incurred medical expenses; and
- c. she has sustained a right humeral head fracture, nondisplaced fracture of the right fifth proximal phalanx, and a fracture of the right fifth proximal toe

16. That Claude Ross has sustained a loss of consortium and lost wages as a result of the incident.

WHEREFORE, the plaintiffs, Judith Ross and Claude Ross, by counsel, requests judgment against the defendants, Allegiant Air, Reno/Tahoe International Airport and G2 Support Staff, L.L.C. in an amount which will fully and fairly compensate them for all injuries and damage, for their costs, for trial by and jury and for all other proper relief.

Respectfully submitted,

FRAZIER & ASSOCIATES



Ronald W. Frazier, #13915-48
Attorney for Plaintiff, Judith Ross

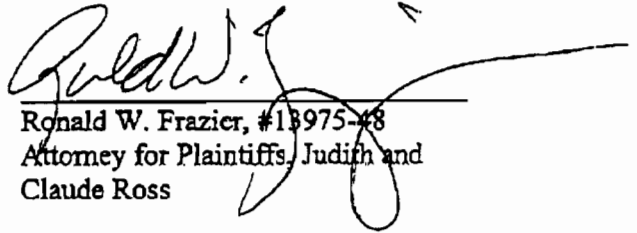
FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202
317/916-9999

JURY TRIAL DEMAND

COMES NOW the Plaintiffs, Judith and Claude Ross, by counsel, and demands
that this matter be tried to a jury.

Respectfully submitted,

FRAZIER & ASSOCIATES



Ronald W. Frazier, #13975-48
Attorney for Plaintiffs, Judith and
Claude Ross

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202
317/916-9999

NORRIS
CHOPLIN &
SCHROEDER, LLP

ATTORNEYS AT LAW

RICHARD L. NORRIS*
JOHN M. CHOPLIN, II
PETER A. SCHROEDER*
BRUCE L. KAMPLAIN*
NELSON A. NETTLES
JOSEPH P. MAGUIRE*
SCOTT A. HARKNESS

* Registered Civil Mediator

MATTHEW W. MELTON
J. KIRK LEBLANC
MICHELLE A. SPAHR
CYNTHIA E. LASHER
THOMAS B. BAYS

Of Counsel:
RAYMOND L. FAUST
MARY JO WEDDING*
KYLE A. JONES*
MARGARET A. JONES
JAMES D. MATTHEWS

December 8, 2006/

Certified Article Number

7160 3901 9849 6213 7381

SENDERS RECORD

Ms. Tammy Baitz, Clerk
HAMILTON COUNTY SUPERIOR COURT
106 Government & Judicial Center
One Hamilton County Square
Noblesville, IN 46060-2233

RE: Judith and Claude Ross vs. Allegiant Air, *et al.*
Hamilton County Superior Court
Cause No. 29D01-0611-CT-1188
Our File No. Y065394

Dear Ms. Baitz:

Enclosed please find the originals and copies of our *Appearance, Motion for Extension of Time and proposed Order* thereon which we are filing on behalf of the defendant, Allegiant Air. Please file the originals with the Court and return file-marked copies to me in the enclosed business reply envelope. Also enclosed is our CCS Entry.

Please note that the enclosed are being mailed by CERTIFIED MAIL, return receipt requested, on December 8, 2006, and should be file-marked as of that date pursuant to Trial Rule 5(F). Please place this letter in the Court's file for future reference.

Thank you for your help. Please call me if you have any questions.

Very truly yours,

NORRIS CHOPLIN & SCHROEDER, LLP


Richard L. Norris

/cb

Enclosures

cc: Mr. Ronald W. Frazier w/encls.

)

HAMILTON COUNTY SUPERIOR COURT

CCS ENTRY

JUDITH and CLAUDE ROSS

Cause No. 29D01-0611-CT-1188

v.

ALLEGIANT AIR and RENO / TAHOE
INTERNATIONAL AIRPORT and
G2 SUPPORT STAFF LLC

Date: December 8, 2006 **NORRIS, CHOPLIN & SCHROEDER**

Judge's Approval: _____

The Clerk will please enter the following entry on the Chronological Case Summary (This entry will not appear in the Record of Orders and Judgments):

The defendant, Allegiant Air, by counsel, files the (1) Appearance of Richard L. Norris, (2) Motion for Extension of Time to Respond to Plaintiffs' Complaint; and (3) Proposed Order thereon.

Submitted by:

Richard L. Norris (#9665-49)
Attorneys for Defendant, Allegiant Air, *only*

NORRIS CHOPLIN & SCHROEDER LLP
101 West Ohio Street, Ninth Floor
Indianapolis, IN 46204-4213
317-269-9330

NOTICE: Pursuant to Local Rule 4.1, this form must accompany all filings with the Circuit, Superior or County Courts of Hamilton County. This form may not be used as an order of the Court. Pursuant to Local Rule 4.2, a separate order must be submitted with each request for relief.

This section for Court usage only:

CODE _____

Entered by: _____

FILED
DEC 11 2006
C 11-12-8
Jenny Baitz
CLERK OF THE
HAMILTON SUPERIOR COURT

RECEIVED

DEC 19 2006

STATE OF INDIANA)
) SS: IN THE HAMILTON COUNTY SUPERIOR
COUNTY OF HAMILTON) COURT
 CAUSE NO. 29D01-0611-CT-1188
 NORRIS, CHOPLIN & SCHROEDER

JUDITH and CLAUDE ROSS,)
)
 Plaintiffs,)
)
 vs.)
)
 ALLEGIANT AIR and RENO / TAHOE)
 INTERNATIONAL AIRPORT and)
 G2 SUPPORT STAFF, LLC,)
)
 Defendants.)

FILED
 CIV 12-8
 DEC 11 2006
 Janny Bait
 CLERK OF THE
 HAMILTON SUPERIOR COURT

APPEARANCE BY ATTORNEY IN CIVIL CASE

Party Classification: Initiating ___ Responding ☒ Intervening

1. The undersigned attorney and all attorneys listed on this form now appear in this case for the following party member(s):

ALLEGIANT AIR

2. Applicable attorney information for service as required by Trial Rule 5(B)(2) and for case information as required by Trial Rules 3.1 and 77(B) is as follows:

Name: Richard L. Norris Atty Number: 9665-49
Firm: NORRIS CHOPLIN & SCHROEDER, LLP
Address: 101 West Ohio Street Phone: 317/269-9330
Suite 900 Fax: 317/269-9338
Indianapolis, IN 46204-4213 Computer Address: Rnorris@ncs-law.com

3. There are other party members: Yes ☒ No ___ (If yes, list on continuation page.)

(1) RENO / TAHOE INTERNATIONAL AIRPORT AND

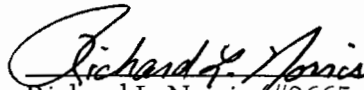
(2) G2 SUPPORT STAFF LLC

4. If first initiating party filing this case, the Clerk is requested to assign this case the following Case Type under Administrative Rule 8(b)(3): ___

5. I will accept service by FAX at the above noted number: Yes ☒ No

6. This case involves support issues. Yes ___ No ☒ (If yes, supply social security numbers for all family members on continuation page.)
7. There are related cases: Yes ___ No ☒ (If yes, list on continuation page.)
8. This form has been served on all other parties.
Certificate of Service is attached: Yes ☒ No ___
9. Additional information required by local rule: _____

NORRIS CHOPLIN & SCHROEDER, LLP



Richard L. Norris (#9665-49)

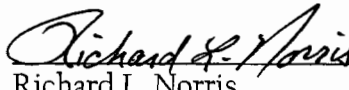
Attorneys for Defendant, Allegiant Air only

NORRIS CHOPLIN & SCHROEDER, LLP
101 West Ohio Street, 9th Floor
Indianapolis, IN 46204-4213
317/269-9330
Fax: 317/269-9338

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was mailed on December 8, 2006, to:

Mr. Ronald W. Frazier
FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202



Richard L. Norris

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

DEC 19 2006
IN THE HAMILTON COUNTY SUPERIOR
COURT
NORRIS, CHOPLIN & SCHROEDER
CAUSE NO. 29D01-0611-CT-1188

JUDITH and CLAUDE ROSS,)
)
Plaintiffs,)
)
vs.)
)
ALLEGIANT AIR and RENO / TAHOE)
INTERNATIONAL AIRPORT and)
G2 SUPPORT STAFF, LLC,)
)
Defendants.)

FILED
C 12-8
DEC 11 2006
Dannay Baity
CLERK OF THE
HAMILTON SUPERIOR COURT

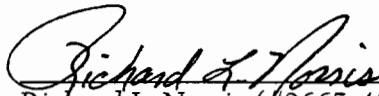
MOTION FOR EXTENSION OF TIME

The defendant, Allegiant Air, by counsel, respectfully requests an extension of time within which to respond to plaintiffs' complaint and in support thereof would show the Court as follows:

1. No prior extensions have been requested.
2. Defendant's answer is currently due on or about December 28, 2006, and that time has not yet expired.
3. The undersigned counsel for the defendant has just been retained and has not yet had an opportunity to conduct his preliminary investigation into the incident alleged in plaintiffs' complaint.
4. The undersigned will reasonably require an additional thirty (30) days from December 28, 2006, within which to conduct his investigation, assemble and review relevant materials, confer with his client and place defendant's response in final form for subsequent filing with this Court.

WHEREFORE, the defendant, Allegiant Air, by counsel, respectfully requests the Court to issue an Order granting it an additional thirty (30) days from December 28, 2006, within which to respond to plaintiffs' complaint, to and including *January 27, 2007*.

NORRIS CHOPLIN & SCHROEDER, LLP



Richard L. Norris (#9665-49)

Attorneys for Defendant, Allegiant Air only

NORRIS CHOPLIN & SCHROEDER, LLP
101 West Ohio Street, 9th Floor
Indianapolis, IN 46204-4213
317/269-9330
Fax: 317/269-9338

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was mailed on December 8, 2006, to:

Mr. Ronald W. Frazier
FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202



Richard L. Norris

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

DEC 19 2006
IN THE HAMILTON COUNTY SUPERIOR
COURT
NORRIS, CHOPLIN & SCHROEDER
CAUSE NO. 29D01-0611-CT-1188

JUDITH and CLAUDE ROSS,)
)
Plaintiffs,)
)
vs.)
)
ALLEGIANT AIR and RENO / TAHOE)
INTERNATIONAL AIRPORT and)
G2 SUPPORT STAFF, LLC,)
)
Defendants.)

FILED
DEC 13 2006
Sammy Dait
CLERK OF THE
HAMILTON SUPERIOR COURT

**ORDER ON EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' COMPLAINT**

The defendant, Allegiant Air, has filed its Motion for Extension of Time in which to respond to plaintiffs' complaint. The Court has read this motion and, being duly advised in this matter, now finds that this motion should be granted.

IT IS THEREFORE ORDERED that the defendant shall have an additional thirty (30) days, to and including *January 27, 2007*, in which to respond to plaintiffs' complaint.

DATED: DEC 12 2006

Steven R. Hatis

Judge, Hamilton County Superior Court No. 1

Copies to:

Richard L. Norris, NORRIS CHOPLIN & SCHROEDER LLP, 101 West Ohio Street, Suite 900,
Indianapolis, IN 46204-4213

Ronald W. Frazier, *FRAZIER & ASSOCIATES*, 612 East Market Street, Indianapolis, IN
46202

DEC 11 2006

STATE OF INDIANA)
COUNTY OF HAMILTON)

SS:

IN THE HAMILTON SUPERIOR COURT NO. 1

CAUSE NO. 29D01 0611-CT-1188

Judith Rose

Plaintiff (s),

-vs-

Allegiant Air, et al

Defendant (s).)

FILED

DEC 8 2006

James Davis
CLERK OF THE
HAMILTON SUPERIOR COURT

JUDGE'S ENTRY OF December 5, 2006

The Clerk shall enter the following on the CCS and shall place this Entry in the RJO: Request for Jury trial is hereby granted.

SO ORDERED THIS 5 DAY OF December, 2006.

Steven R. Nation

Steven R. Nation, Judge
Hamilton Superior Court No. 1

Distribution:

SEE CCS

R. Frazier
Allegiant Air
Aero/Texas Airport Authority
C2 Support Staff LLC

STATE OF INDIANA)
) SS: HAMILTON COUNTY SUPERIOR COURT
COUNTY OF HAMILTON) CAUSE NO.: 29D01-0611-CT-001188

JUDITH AND CLAUDE ROSS,)
)
Plaintiff,)
)
vs.)
)
ALLEGIANT AIR and RENO/TAHOE)
INTERNATIONAL AIRPORT, and G2)
SUPPORT STAFF, L.L.C.)
)
Defendants.)

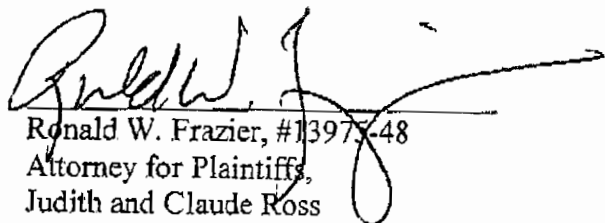
FILED
DEC 11 2006
Janey Baith
CLERK OF THE
HAMILTON SUPERIOR COURT

MOTION TO DISMISS WITHOUT PREJUDICE

The plaintiffs, Judith and Claude Ross, by counsel, hereby dismiss their claim, without prejudice, against defendant G2 Support Staff, LLC in the above-captioned matter, only. Plaintiffs' claims against the other two defendants remain pending.

Respectfully submitted,

FRAZIER & ASSOCIATES


Ronald W. Frazier, #13978-48
Attorney for Plaintiffs,
Judith and Claude Ross

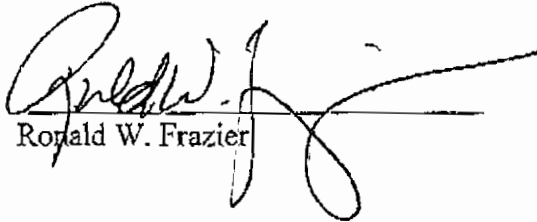
FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202
317/916-9999

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was sent via first class

United States mail postage paid this 8th day of December, 2006 to the following:

Kathy Baucom
Risk Manager
G2 Secure Staff
3625 West Royal Lane, Suite 125
Irving, TX 75063


Ronald W. Frazier

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON) CAUSE NO.: 29D01-0611-CT-001188

JUDITH AND CLAUDE ROSS,)
)
Plaintiff,)
)
vs.)
)
ALLEGIANT AIR and RENO/TAHOE)
And INTERNATIONAL AIRPORT,)
)
Defendants.)

FILED

DEC 13 2006

Lanny Baitz
CLERK OF THE
HAMILTON SUPERIOR COURT

ORDER DISMISSING CLAIM AGAINST
DEFENDANT G2 SUPPORT STAFF, LLC

The plaintiffs, Judith and Claude Ross, by counsel, have filed their Motion to Dismiss Without Prejudice in the above-captioned cause, dismissing their claim against defendant G2 Support Staff, LLC, only. Plaintiffs' claims against the other two defendants remain pending.

And the Court, being duly advised in this matter, now finds that said motion should be granted.

It is therefore ORDERED, ADJUDGED and DECREED that plaintiffs' claim against defendant G2 Support Staff, LLC, only, is hereby dismissed, without prejudice. Plaintiffs' claims against the other two defendants remain pending.

Dated: DEC 12 2006

Steven R. Nation

JUDGE, Hamilton County Superior Court 1

DISTRIBUTION TO:

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202

KathyBaucom
Risk Manager
G2 Secure Staff
3625 West Royal Lane, Suite 125
Irving, TX 75063

STATE OF INDIANA) HAMILTON COUNTY SUPERIOR COURT
) SS: NORRIS, CHOPLIN & SCHROEDER
 COUNTY OF HAMILTON) CAUSE NO.: 29D01-0611-CT-001188

JUDITH AND CLAUDE ROSS,

Plaintiff,

vs.

ALLEGIANT AIR and RENO/TAHOE
INTERNATIONAL AIRPORT,

Defendants.

MOTION TO DISMISS WITHOUT PREJUDICE

The plaintiffs, Judith and Claude Ross, by counsel, hereby dismiss their claim, without prejudice, against defendant Reno/Tahoe International Airport in the above-captioned matter, only. Plaintiffs' claim against defendant Allegiant Air remains pending.

Respectfully submitted,

FRAZIER & ASSOCIATES

Ronald W. Frazier, #13975-48
Attorney for Plaintiffs,
Judith and Claude Ross

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202
317/916-9999

CERTIFICATE OF SERVICE

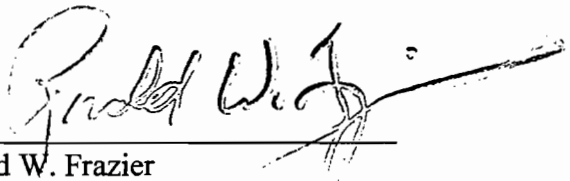
The undersigned certifies that a copy of the foregoing was sent via first class

United States mail postage paid this 22nd day of December, 2006 to the following:

Steven Springer
Kightlinger & Gray
151 North Delaware Street, Suite 600
Indianapolis, IN 46204

Richard L. Norris
Norris Choplin & Schroeder
101 West Ohio Street, 9th Floor
Indianapolis, IN 46204-4213

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202



A handwritten signature in black ink, appearing to read 'Ronald W. Frazier', is written over a horizontal line.

Ronald W. Frazier

RECEIVED

DEC 26 2006

STATE OF INDIANA) HAMILTON COUNTY SUPERIOR COURT
) SS: **NORRIS, CHOPLIN & SCHROEDER**
COUNTY OF HAMILTON) CAUSE NO.: 29D01-0611-CT-001188

JUDITH AND CLAUDE ROSS,
Plaintiff,
vs.
ALLEGIANT AIR,
Defendant.

ORDER DISMISSING CLAIM AGAINST
DEFENDANT RENO/TAHOE INTERNATIONAL AIRPORT

The plaintiffs, Judith and Claude Ross, by counsel, have filed their Motion to Dismiss, Without Prejudice, in the above-captioned cause, dismissing their claim against defendant Reno/Tahoe International Airport, only. Plaintiffs' claim against defendant Allegiant Air remains pending.

And the Court, being duly advised in this matter, now finds that said motion should be granted.

It is therefore ORDERED, ADJUDGED and DECREED that plaintiffs' claim against defendant Reno/Tahoe International Airport, only, is hereby dismissed, without prejudice. Plaintiffs' claim against defendant Allegiant Air remains pending.

Dated: _____

JUDGE, Hamilton County Superior Court 1

DISTRIBUTION TO:

FRAZIER & ASSOCIATES
612 East Market Street
Indianapolis, IN 46202

Steven Sringer
Kightlinger & Gray, LLP
151 North Delaware, Suite 600
Indianapolis, IN 46204

Richard L. Norris
Norris Choplin & Schroeder
101 West Ohio Street, 9th Floor
Indianapolis, IN 46204-4213